

IN RE: PETITIONS FOR SPECIAL HEARING,	* BEFORE THE
SPECIAL EXCEPTION & VARIANCE -	
SW/Corner Dundalk Avenue and	* DEPUTY ZONING COMMISSIONER
Sollers Point Road	
(7899 Dundalk Avenue)	* OF BALTIMORE COUNTY
12th Election District	
7th Councilmanic District	* Case No. 95-21-SPHXA
Ronald Lygren	*
Petitioner	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance for that property known as 7899 Dundalk Avenue, located in the vicinity of Sollers Point in southeastern Baltimore County. The Petitions were filed by the owner of the property, Ronald Lygren, through his attorney, Leslie M. Pittler, Esquire. The Petitioner seeks a special hearing to approve the restoration of his right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage use. In addition to the special hearing relief sought, the Petitioner seeks a special exception for a gasoline service station and service garage use on the subject property and a variance from Section 232.3.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit rear yard setbacks of 0 feet and 7 feet in lieu of the required 20 feet each for the existing building and a proposed shed, respectively. The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Ronald Lygren, property owner, Paul Lee, Professional Engineer, and Leslie M. Pittler, Esquire, attorney for the Petitioner. There were no Protestants present.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Testimony and evidence offered revealed that the subject property consists of a gross area of 21,979 sq.ft., more or less, zoned B.L.-C.N.S. and is improved with a two-bay service station and accessory gasoline pump islands. The property is located on the southwest corner of Dundalk Avenue and Sollers Point Road and is accessible from both roadways. Testimony revealed that the Petitioner has operated the existing service station for the past eight (8) years but ceased offering gasoline for sale some time ago. The Petitioner now seeks approval to resume the sale of gasoline in addition to servicing automobiles. Mr. Lygren testified that the gasoline pumps are still operational and that the gasoline storage tanks are still located beneath the property.

Additional testimony offered by Mr. Paul Lee revealed that the service garage building has existed on the property since approximately 1945 and is situated on the rear property line. Therefore, the requested variance for a 0-foot rear yard setback is to legitimize the existing building. In addition, the Petitioner wishes to erect an 8-foot wide by 20-foot deep shed along the south side of the existing building, approximately 7 feet from the rear property line. As shown on the site plan, the proposed shed will be placed even with the front face of the existing building and no closer to the rear property line than 7 feet.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. A gasoline service station has existed on the property since at least 1945, apparently without any detriment to the public health, safety, or general welfare. To deny the relief requested would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

ORDER RECEIVED FOR FILING
Date 9/12/84
By [Signature]

As to the special exception relief sought, the Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date

By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

It should be noted that this property is located within the Chesapeake Bay Critical Areas near Peach Orchard Cove and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) in accordance with Critical Areas legislation.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact

ORDER RECEIVED FOR FILING

Date

By

that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

In addition to the burdens of proof required pursuant to Sections 502.1, 307, and 500.14 of the B.C.Z.R., the Petitioner must also satisfy the requirements of Section 405 of the B.C.Z.R. for the fuel service station use proposed. In the opinion of this Deputy Zoning Commissioner, the Petitioner offered testimony and evidence at the hearing which satisfies the requirements of Section 405 and its subsections which specifically deal with fuel service stations, their operation and location.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing, special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of September, 1994 that the Petition for Special Hearing to approve the restoration of the right to sell gasoline as part of a previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception for a gasoline service station and service garage use on the subject prop-

ORDER RECEIVED FOR FILING

Date

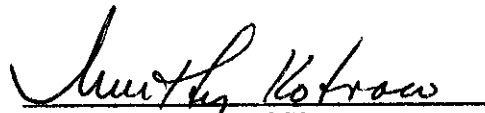
By

erty, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance from Section 232.3.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit rear yard setbacks of 0 feet and 7 feet in lieu of the required 20 feet each for an existing building and a proposed shed, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall paint the existing two-bay service station building to enhance its appearance.
- 3) The Petitioner shall replace the existing fence with a new fence which shall screen the rear of the site along the 15-foot wide concrete alley southwest of the subject property.
- 4) All damaged and disabled vehicles shall be stored in a properly screened area so as not to be visible from either Dundalk Avenue or Sollers Point Road.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated August 8, 1994, attached hereto and made a part hereof.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 12, 1994

Leslie M. Pittler, Esquire
29 West Susquehanna Avenue, Suite 610
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
SW/Corner Dundalk Avenue and Sollers Point Road
(7899 Dundalk Avenue)
12th Election District - 7th Councilmanic District
Ronald Lygren - Petitioner
Case No. 95-21-SPHXA

Dear Mr. Pittler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over the typed name.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Ronald Lygren
7899 Dundalk Avenue, Baltimore, Md. 21222

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File





Petition for Special Hearing

95-21-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at

7899 Dundalk Avenue

which is presently zoned

BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The restoration of the Petitioner's right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Ronald Lygren
(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

7899 DUNDALK AVENUE

288-1525

Address

Phone No.

BALTIMORE MD 21222

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Attorney for Petitioner:

Leslie M. Pittler, Esquire

(Type or Print Name)

Signature

29 West Susquehanna Avenue

Suite 610 (410) 823-4455

Address

Towson, Md. 21204

City

State

Zipcode

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1 hr.

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: MCK

DATE 7/18/94



#15



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

95-21-SPHX-A

for the property located at 7899 Dundalk Avenue
which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Gasoline service station and service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Leslie M. Pittler, Esquire
(Type or Print Name)

Signature

29 West Susquehanna Avenue
Address Suite 610 Phone No. (410) 823-4455
Towson, Md. 21204
City State Zipcode

Legal Owner(s):

Ronald Lygren
(Type or Print Name)

Signature

(Type or Print Name)

Signature

7899 Dundalk Avenue 288-1525
Address Phone No.
Baltimore MD 21222
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr.
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: MJK DATE 7/18/94

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

95-21-SPH X A

for the property located at 7899 Dundalk Avenue

which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 232.3b of the BCZR to permit a rear yard setback of 0' & 7' in lieu of the required 20'.

SDP

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Leslie M. Pittler, Esquire

(Type or Print Name)

Leslie M. Pittler

Signature

29 West Susquehanna Avenue
Suite 610 (410) 823-4455

Address Phone No.

Towson, Md. 21204

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

Ronald Lygren

(Type or Print Name)

Ronald W. Lygren

Signature

(Type or Print Name)

Signature

7899 DUNDALK AVENUE

288-1525

Address

BALTIMORE MD 21222

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1 hr.

the following dates

Next Two Months

ALL OTHER

REVIEWED BY:

SDP

DATE 7/18/94

RECORDED



Printed with Soybean Ink on Recycled Paper



Paul Lee, P.E.

95-21-SPHXA

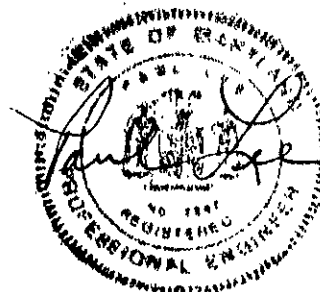
Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410-821-5941

DESCRIPTION

#7899 DUNDALK AVENUE
ELECTION DISTRICT 12 - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located at the intersection of the south side of Dundalk Avenue with the west side of Sollers Point Road, said point also being located Southerly 62 feet \pm from the center of Dundalk Avenue; thence binding along the west side of Sollers Point Road (1) S $52^{\circ}15'40''$ W 122.61 feet to the north side of a 15 foot alley; thence binding on the north side of said 15 foot alley (2) N $37^{\circ}44'20''$ W 158.30 feet to the south side of Dundalk Avenue; thence binding on the south side of Dundalk Avenue (3) S $86^{\circ}13'20''$ E 95.06 feet and by a curve to the right (4) R = 400.00 feet for a distance of 96.18 feet and by a curve to the right (5) R = 15.00 feet for a length of 32.64 feet to the point of beginning.

Containing 13,317 square feet of land, more or less.



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

#15

Engineers — Surveyors — Site Planners

J. O. #94009

95-21-SP HXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 7/20/94

Posted for: Special Hearing & Exception & Variance

Petitioner: Ron's Auto Service - Ronald Hygro

Location of property: 7895 Oak Lake Ave

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. Stealy Date of return: 8/5/94
Signature

Number of Signs: 1

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NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-21-SPXA
(Item 15)

7899 Dundalk Avenue
Ron's Auto Service
Corner S/S Dundalk Ave-
nue and W/S of Sollers
Point Road

12th Election District
7th Councilmanic

Petitioner(s):

Ronald Lygren

Hearing: Monday

August 22, 1994 at 9:00
a.m. in Rm. 118, Old
Courthouse

Special Hearing to approve
the restoration of the Peti-
tioner's right to sell gasoline as
part of his previously approved
special permit and to confirm
the right to maintain the auto-
motive service station use with
the service garage. Special
Exception for gasoline service
station and service garage.
Variance to permit a rear yard
setback of zero feet and 7 feet
in lieu of the required 20 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations: Please Call
887-3353

(2) For information concern-
ing the file and/or Hearing, Please
Call 887-3391.

8/024 August 4.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

August 5, 1994

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on Aug. 4, 1994.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

Reprinted

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Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL
AREA

receipt
95-21-SPHXA

Account: R-001-6150

Number

Date 7/18/94

Item: 15
Number

Lygren, Ronald - 7899 Dundalk Ave

Taken In
By: WDK

020 - Zoning Variance

040 - Special Hearing

050 - Special Exception

070 - Comb. not to Exceed \$650.00

080 - 3 signs (\$35.00 each) \$105.00

Total

755.00

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02A0250195610-INC
65 COLD SPRING LN 54

\$755.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

15
MJK
7-18-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

✓

The following information is missing:

Descriptions, including accurate beginning point

Actual address of property

Zoning

Acreage

Plats (need 12, only _____ submitted)

200 scale zoning map with property outlined

Election district

Councilmanic district

BCZR section information and/or wording

Hardship/practical difficulty information

Owner's signature (need minimum 1 original signature) and/or

printed name and/or address and/or telephone number

Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address

Signature (need minimum 1 original signature) and/or
printed name and/or title of person signing for legal

printed name and/or title of person signing for legal
owner/contract purchaser

Power of attorney or authorization for person signing for
legal owner and/or contract purchaser

Attorney's signature (need minimum 1 original signature)
and/or printed name and/or address and/or telephone number

Notary Public's section is incomplete and/or incorrect
and/or commission has expired

#15

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 15

Petitioner: Ronald Lygren (Ron's Auto Service, Inc.)

Location: 7899 Dundalk Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Leslie M. Pittler, Esquire

ADDRESS: 29 West Susquehanna Ave, Suite 610
Towson, MD. 21204

PHONE NUMBER: (410) 823-4455

AJ:ggs

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(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-21-SPHXA (Item 15)
7899 Dundalk Avenue - Ron's Auto Service
Corner S/S Dundalk Avenue and W/S of Sollers Point Road
12th Election District - 7th Councilmanic
Petitioner(s): Ronald Lygren
HEARING: MONDAY, AUGUST 22, 1994 at 9:00 a.m. in Rm. 118 Old Courthouse.

Special Hearing to approve the restoration of the Petitioner's right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage.

Special Exemption for gasoline service station and service garage.
Variance to permit a rear yard setback of zero feet and 7 feet in lieu of the required 20 feet.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Ronald Lygren
Leslie M. Pittler, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

APPROVED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

August 12, 1994

(410) 887-3353

Leslie M. Pittler, Esquire
29 West Susquehanna Avenue, Suite 610
Towson, Maryland 21204

RE: Item No. 15, Case No. 95-21-SPHXA
Petitioner: Ronald Lygren
Petition for Special Hearing

Dear Mr. Pittler:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 18, 1994, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

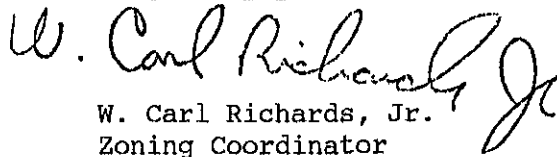
- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,


W. Carl Richards, Jr.
Zoning Coordinator

WCR:jw

Enclosures

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 9, 1994
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 8, 1994
Item No. 15

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the Landscape Manual. We recommend that the Zoning Commissioner require street trees and shrub plantings to the extent possible. The residential buffer should meet the Landscape Manual Standards also.

The proposed addition and fence appear to block the access to Sollers Point Road. This is not acceptable.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

August 8, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #15 - Ron's Auto Service
7899 Dundalk Avenue
Zoning Advisory Committee Meeting of August 1, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Any proposed development will require compliance with the 10% pollutant reduction requirement of the Chesapeake Bay Critical Area Regulations for Intensely Developed Areas.

JLP:SA:sp

c: Mr. Ronald Lygren

RON'S/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/29/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 15, 16, 17, 18, 19, 21,
22, 23 AND 24.

RECEIVED

AUG 1 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Robert P. Sauerwald





Maryland Department of Transportation
State Highway Administration

O. James Lightizer
Secretary
Hal Kassoff
Administrator

7-29-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +15 (MJK)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

8/22
TMK
95-2/SP/KA

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 15, 1994

SUBJECT: 7899 Dundalk Avenue

INFORMATION:

Item Number: 15
Petitioner: Ronald Lygren
Property Size: _____
Zoning: B.L.-C.N.S.
Requested Action: _____
Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided and a site inspection of the subject property, staff offers the following comment.

This office supports the applicant's request provided that the following conditions are met:

- The garage building should be painted to enhance its appearance;
- The existing fence should be repaired and painted; - *petitioner to provide new fence*
- A fence to screen the rear of the site should be erected; and
- All damaged and unlicensed vehicles should be removed from the property. Due to the size and location of the property, extended storage of vehicles should be restricted.

Prepared by: Jeffrey W. Long

Division Chief: Cary L. Kerns

PK/JL:lw

MICROFILMED

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE
PETITION FOR SPECIAL EXCEPTION * ZONING COMMISSIONER
7899 Dundalk Avenue, Corner S/S
Dundalk Avenue and W/S of Sollers * OF BALTIMORE COUNTY
Point Road, 12th Election District, *
7th Councilmanic *

Ronald Lygren * CASE NO. 95-21-SPHXA
Petitioner

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Leslie M. Pittler, Esquire, 29 W. Susquehanna Avenue, Suite 610, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

RECEIVED

AUG 8 1994

ZADM

1. Memorandum for Mr. Tolson
 2. Re: [REDACTED]
 3. Subject: [REDACTED]
 4. Reference: [REDACTED]
 5. Enclosure: [REDACTED]
 6. Disposition: [REDACTED]
 7. Approval: [REDACTED]
 8. Date: [REDACTED]
 9. By: [REDACTED]
 10. For: [REDACTED]
 11. File: [REDACTED]
 12. Copy: [REDACTED]
 13. Remarks: [REDACTED]
 14. Initials: [REDACTED]
 15. Signature: [REDACTED]
 16. Title: [REDACTED]
 17. Department: [REDACTED]
 18. Division: [REDACTED]
 19. Section: [REDACTED]
 20. Unit: [REDACTED]
 21. Project: [REDACTED]
 22. Task: [REDACTED]
 23. Priority: [REDACTED]
 24. Status: [REDACTED]
 25. Comments: [REDACTED]
 26. Notes: [REDACTED]
 27. Attachments: [REDACTED]
 28. References: [REDACTED]
 29. Links: [REDACTED]
 30. Tags: [REDACTED]
 31. Keywords: [REDACTED]
 32. Searchable: [REDACTED]
 33. Indexed: [REDACTED]
 34. Archived: [REDACTED]
 35. Deleted: [REDACTED]
 36. Restored: [REDACTED]
 37. Backup: [REDACTED]
 38. Recovery: [REDACTED]
 39. Encryption: [REDACTED]
 40. Decryption: [REDACTED]
 41. Compression: [REDACTED]
 42. Decompression: [REDACTED]
 43. Conversion: [REDACTED]
 44. Export: [REDACTED]
 45. Import: [REDACTED]
 46. Transfer: [REDACTED]
 47. Move: [REDACTED]
 48. Copy: [REDACTED]
 49. Paste: [REDACTED]
 50. Cut: [REDACTED]
 51. Delete: [REDACTED]
 52. Undo: [REDACTED]
 53. Redo: [REDACTED]
 54. Save: [REDACTED]
 55. Open: [REDACTED]
 56. Close: [REDACTED]
 57. Print: [REDACTED]
 58. View: [REDACTED]
 59. Help: [REDACTED]
 60. Settings: [REDACTED]
 61. Options: [REDACTED]
 62. Preferences: [REDACTED]
 63. Customization: [REDACTED]
 64. Integration: [REDACTED]
 65. Interoperability: [REDACTED]
 66. Compatibility: [REDACTED]
 67. Support: [REDACTED]
 68. Documentation: [REDACTED]
 69. Training: [REDACTED]
 70. Consulting: [REDACTED]
 71. Services: [REDACTED]
 72. Products: [REDACTED]
 73. Hardware: [REDACTED]
 74. Software: [REDACTED]
 75. Networks: [REDACTED]
 76. Cloud: [REDACTED]
 77. Mobile: [REDACTED]
 78. IoT: [REDACTED]
 79. AI: [REDACTED]
 80. ML: [REDACTED]
 81. DL: [REDACTED]
 82. CV: [REDACTED]
 83. NLP: [REDACTED]
 84. Robotics: [REDACTED]
 85. Automation: [REDACTED]
 86. Big Data: [REDACTED]
 87. Analytics: [REDACTED]
 88. Visualization: [REDACTED]
 89. Reporting: [REDACTED]
 90. Dashboard: [REDACTED]
 91. Charts: [REDACTED]
 92. Tables: [REDACTED]
 93. Forms: [REDACTED]
 94. Buttons: [REDACTED]
 95. Icons: [REDACTED]
 96. Colors: [REDACTED]
 97. Fonts: [REDACTED]
 98. Layout: [REDACTED]
 99. Design: [REDACTED]
 100. UI: [REDACTED]
 101. UX: [REDACTED]
 102. Accessibility: [REDACTED]
 103. Security: [REDACTED]
 104. Privacy: [REDACTED]
 105. Compliance: [REDACTED]
 106. Regulation: [REDACTED]
 107. Standards: [REDACTED]
 108. Best Practices: [REDACTED]
 109. Guidelines: [REDACTED]
 110. Recommendations: [REDACTED]
 111. Advice: [REDACTED]
 112. Opinion: [REDACTED]
 113. Viewpoint: [REDACTED]
 114. Perspective: [REDACTED]
 115. Insight: [REDACTED]
 116. Observation: [REDACTED]
 117. Fact: [REDACTED]
 118. Figure: [REDACTED]
 119. Table: [REDACTED]
 120. Chart: [REDACTED]
 121. Graph: [REDACTED]
 122. Diagram: [REDACTED]
 123. Image: [REDACTED]
 124. Photo: [REDACTED]
 125. Video: [REDACTED]
 126. Audio: [REDACTED]
 127. Text: [REDACTED]
 128. Code: [REDACTED]
 129. Script: [REDACTED]
 130. Program: [REDACTED]
 131. Application: [REDACTED]
 132. Service: [REDACTED]
 133. Platform: [REDACTED]
 134. Framework: [REDACTED]
 135. Library: [REDACTED]
 136. Package: [REDACTED]
 137. Module: [REDACTED]
 138. Component: [REDACTED]
 139. Feature: [REDACTED]
 140. Function: [REDACTED]
 141. Method: [REDACTED]
 142. Property: [REDACTED]
 143. Attribute: [REDACTED]
 144. Characteristic: [REDACTED]
 145. Quality: [REDACTED]
 146. Quantity: [REDACTED]
 147. Measure: [REDACTED]
 148. Unit: [REDACTED]
 149. Scale: [REDACTED]
 150. Range: [REDACTED]
 151. Interval: [REDACTED]
 152. Period: [REDACTED]
 153. Duration: [REDACTED]
 154. Time: [REDACTED]
 155. Space: [REDACTED]
 156. Area: [REDACTED]
 157. Volume: [REDACTED]
 158. Weight: [REDACTED]
 159. Mass: [REDACTED]
 160. Length: [REDACTED]
 161. Width: [REDACTED]
 162. Height: [REDACTED]
 163. Depth: [REDACTED]
 164. Radius: [REDACTED]
 165. Diameter: [REDACTED]
 166. Circumference: [REDACTED]
 167. Perimeter: [REDACTED]
 168. Surface: [REDACTED]
 169. Area: [REDACTED]
 170. Volume: [REDACTED]
 171. Weight: [REDACTED]
 172. Mass: [REDACTED]
 173. Length: [REDACTED]
 174. Width: [REDACTED]
 175. Height: [REDACTED]
 176. Depth: [REDACTED]
 177. Radius: [REDACTED]
 178. Diameter: [REDACTED]
 179. Circumference: [REDACTED]
 180. Perimeter: [REDACTED]
 181. Surface: [REDACTED]
 182. Area: [REDACTED]
 183. Volume: [REDACTED]
 184. Weight: [REDACTED]
 185. Mass: [REDACTED]
 186. Length: [REDACTED]
 187. Width: [REDACTED]
 188. Height: [REDACTED]
 189. Depth: [REDACTED]
 190. Radius: [RE

Admission Stamp

86

REC- 5 1945

CERTIFICATE OF PUBLICATION

TOWSON, MD.

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson Baltimore County, Md., since its first publication on the 19th day of Oct. 1944.

day of October 1944 the first publication appearing on the 19th day of Oct. 1944.

THE JEFFERSONIAN

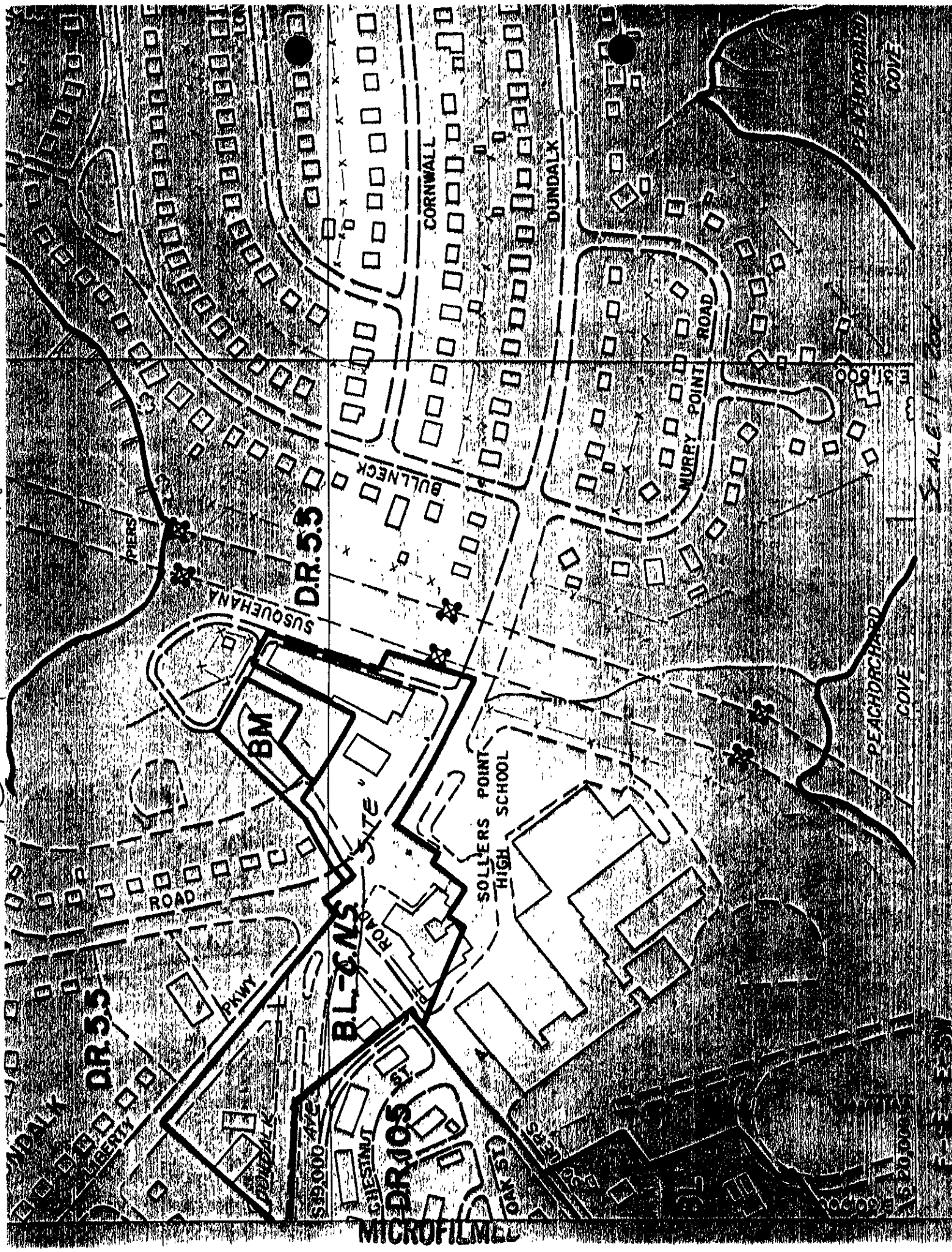
Manager

Cost of Advertisement, \$

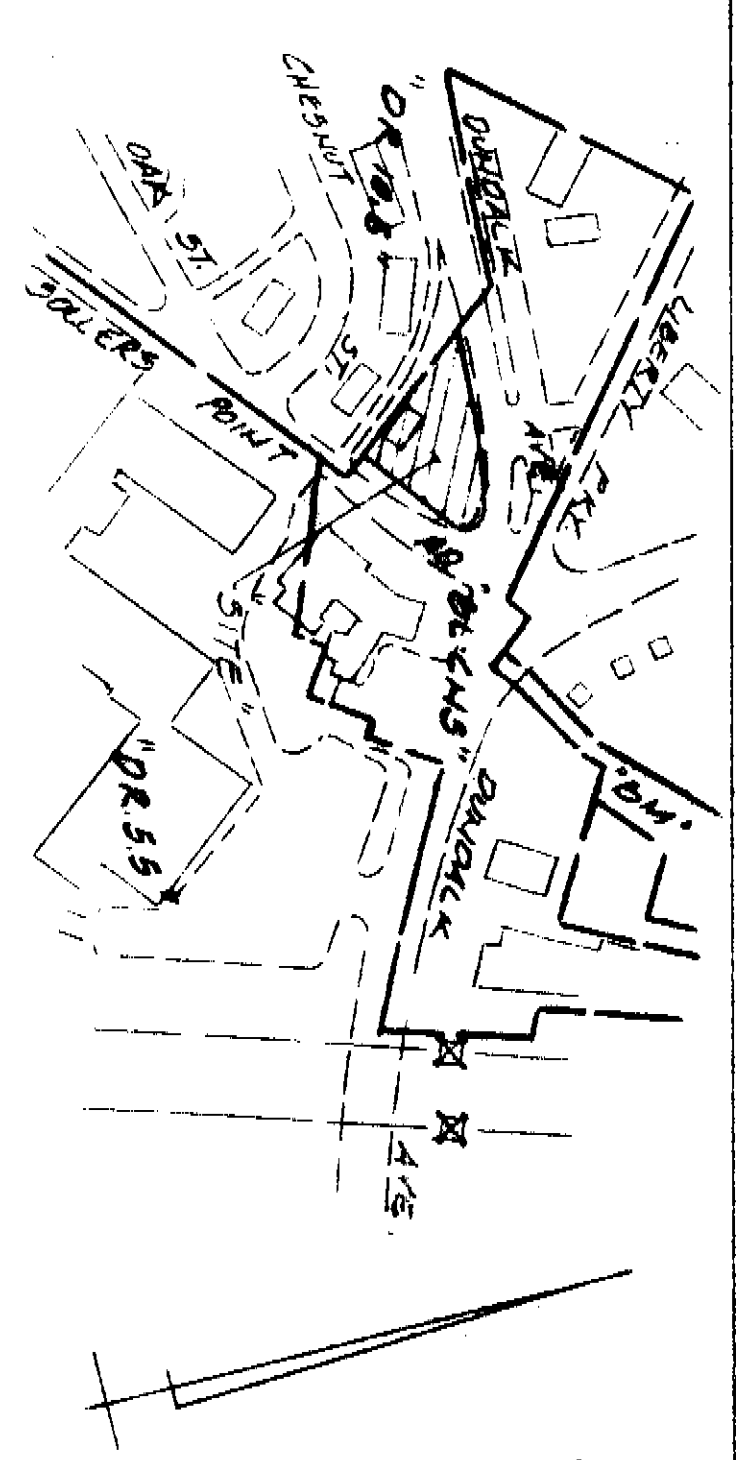
NOTICE OF PUBLICATION
The undersigned, James H. H. H., of the County of Baltimore, State of Md., do hereby certify that the within and foregoing advertisement was published in the Jeffersonian, a weekly newspaper printed and published in Towson, Baltimore County, Md., since its first publication on the 19th day of Oct. 1944.

Inspector making return
By: James H. H. H.
Inspector making return

95-21-544 XA #15



MICROFILMED



LOCATION PLAN
SCALE: 1"=200'

GENERAL NOTES

1. AREA OF PROPERTY: 14,317.5 S.F. GROSS AREA = 329.25 S.F.
2. EXISTING ZONING OF PROPERTY: "BL-CUS" "W/300' PERMIT"
3. EXISTING USE OF PROPERTY: "GASOLINE SERVICE STATION"
4. PROPOSED ZONING OF PROPERTY: "BL-CUS" "SPECIAL PERMIT"
5. PROPOSED USE OF PROPERTY: "GASOLINE SERVICE STATION & SERVICE GARAGE"
6. REQUIRED OFF-STREET PARKING: 100 S.F. @ 250 S.F./CAR = 40 CARS. EXISTING PARKING: 100 S.F. @ 250 S.F./CAR = 40 CARS. PROPOSED PARKING: 100 S.F. @ 250 S.F./CAR = 40 CARS.
7. NUMBER OF PARKING SPACES SHOWN: 40 S.F.
8. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A SERVICE GARAGE IN A "BL-CUS" ZONE.
9. PETITIONER REQUESTING A VARIANCE TO SECTION 232.3 OF DECK TO PERMIT A REAR YARD SETBACK OF 0' 4" FOR THE EXISTING SERVICE STATION AND PROPOSED GARAGE IN LIEU OF THE REQUIRED 10' 0" SETBACK OF 10' 0" (10').
10. SPECIAL PERMIT FOR 300 S.F. SERVICE STATION & 100 S.F. GARAGE.
11. PUBLIC UTILITIES EXISTING AT PROPERTY:
12. "N" PERMITTED: 3.0, EXISTING MAX: 1161/1337 = 0.867, FROM MAX: 1337/1307 = 0.009

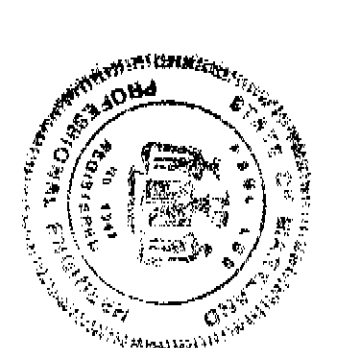
PLAT TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION

SPECIAL HEARING & VARIANCES

RON'S AUTO SERVICE
7899 DUNDALK AVENUE

ELECT DIST 1867 BALTIMORE COUNTY MD
SCALE: 1"=10' JUNE 30, 1994

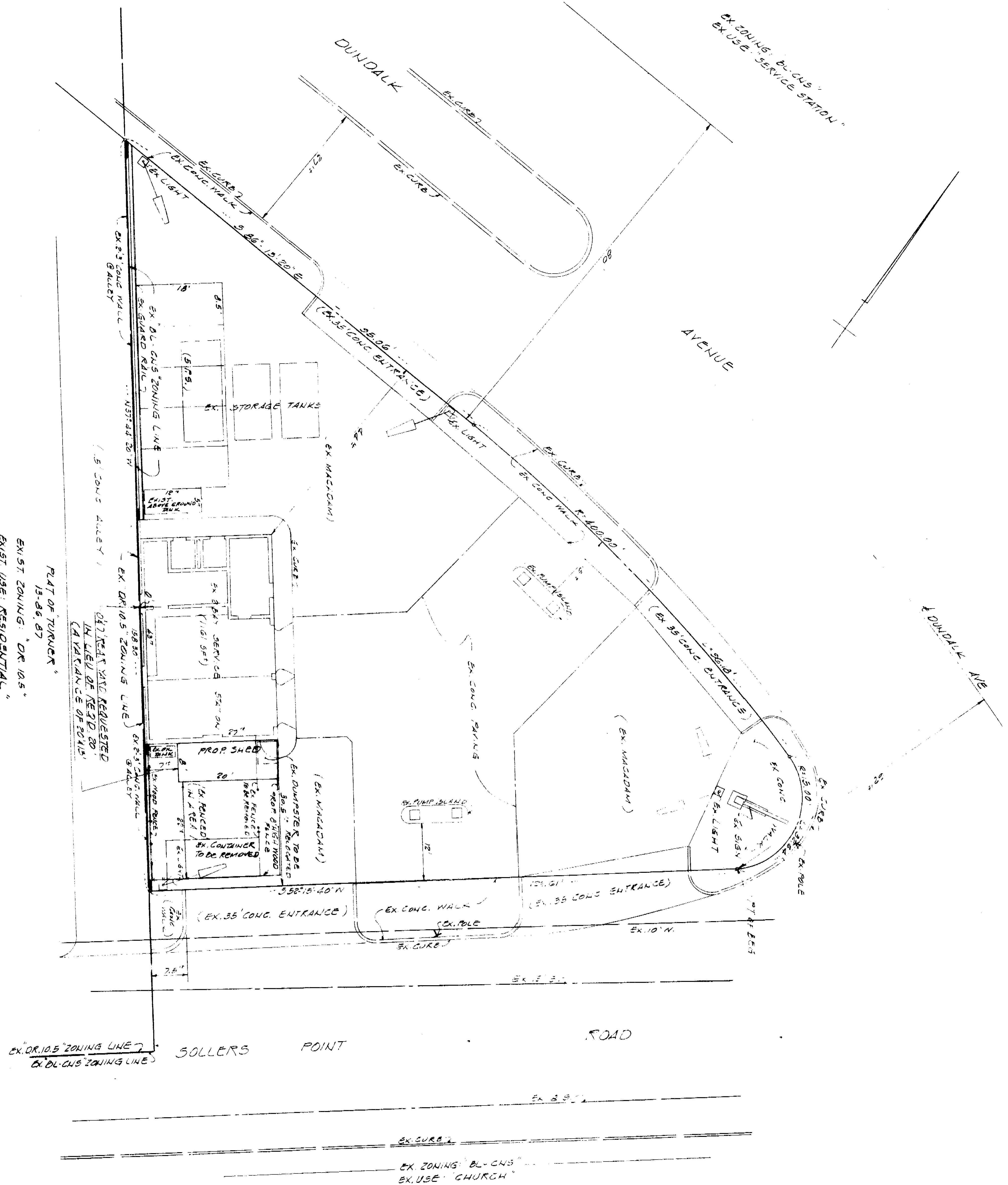
95-21-
SPHX.A #15



PETITIONER'S
EXHIBIT 1

OWNER: RON LYGEREN
7899 DUNDALK AVE.
BALTIMORE, MD 21222

ENGINEER: MICROFILMED
PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204



IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - SW/Corner Dundalk Avenue and Sollers Point Road (7899 Dundalk Avenue) 12th Election District 7th Councilmanic District * BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 95-21-SPHXA Ronald Lygren Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance for that property known as 7899 Dundalk Avenue, located in the vicinity of Sollers Point in southeastern Baltimore County. The Petitions were filed by the owner of the property, Ronald Lygren, through his attorney, Leslie M. Pittler, Esquire. The Petitioner seeks a special hearing to approve the restoration of his right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage use. In addition to the special hearing relief sought, the Petitioner seeks a special exception for a gasoline service station and service garage use on the subject property and a variance from Section 232.3.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit rear yard setbacks of 0 feet and 7 feet in lieu of the required 20 feet each for the existing building and a proposed shed, respectively. The subject property and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Ronald Lygren, property owner, Paul Lee, Professional Engineer, and Leslie M. Pittler, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 21,979 sq.ft., more or less, zoned B.L.-C.N.S. and is improved with a two-bay service station and accessory gasoline pump islands. The property is located on the southwest corner of Dundalk Avenue and Sollers Point Road and is accessible from both roadways. Testimony revealed that the Petitioner has operated the existing service station for the past eight (8) years but ceased offering gasoline for sale some time ago. The Petitioner now seeks approval to resume the sale of gasoline in addition to servicing automobiles. Mr. Lygren testified that the gasoline pumps are still operational and that the gasoline storage tanks are still located beneath the property.

Additional testimony offered by Mr. Paul Lee revealed that the service garage building has existed on the property since approximately 1945 and is situated on the rear property line. Therefore, the requested variance for a 0-foot rear yard setback is to legitimize the existing building. In addition, the Petitioner wishes to erect an 8-foot wide by 20-foot deep shed along the south side of the existing building, approximately 7 feet from the rear property line. As shown on the site plan, the proposed shed will be placed even with the front face of the existing building and no closer to the rear property line than 7 feet.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. A gasoline service station has existed on the property since at least 1945, apparently without any detriment to the public health, safety, or general welfare. To deny the relief requested would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

- 2 -

As to the special exception relief sought, the Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Solov, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the structure which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

It should be noted that this property is located within the Chesapeake Bay Critical Areas near Peach Orchard Cove and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) in accordance with Critical Areas legislation.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact

- 4 -

that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

In addition to the burdens of proof required pursuant to Sections 502.1, 307, and 500.14 of the B.C.Z.R., the Petitioner must also satisfy the requirements of Section 405 of the B.C.Z.R. for the fuel service station use proposed. In the opinion of this Deputy Zoning Commissioner, the Petitioner offered testimony and evidence at the hearing which satisfies the requirements of Section 405 and its subsections which specifically deal with fuel service stations, their operation and location.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing, special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of September, 1994 that the Petition for Special Hearing to approve the restoration of the right to sell gasoline as part of a previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception for a gasoline service station and service garage use on the subject prop-

erty, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance from Section 232.3.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit rear yard setbacks of 0 feet and 7 feet in lieu of the required 20 feet each for an existing building and a proposed shed, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall paint the existing two-bay service station building to enhance its appearance.
- 3) The Petitioner shall replace the existing fence with a new fence which shall screen the rear of the site along the 15-foot wide concrete alley southwest of the subject property.
- 4) All damaged and disabled vehicles shall be stored in a properly screened area so as not to be visible from either Dundalk Avenue or Sollers Point Road.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated August 8, 1994, attached hereto and made a part hereof.

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-4386

September 12, 1994

Leslie M. Pittler, Esquire
29 West Susquehanna Avenue, Suite 610
Towson, Maryland 21204
RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE SW/Corner Dundalk Avenue and Sollers Point Road (7899 Dundalk Avenue) 12th Election District - 7th Councilmanic District Ronald Lygren - Petitioner Case No. 95-21-SPHXA

Dear Mr. Pittler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Ronald Lygren
7899 Dundalk Avenue, Baltimore, Md. 21222
Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401
DEPRM; People's Counsel; Case file



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 7899 Dundalk Avenue
which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve.

The restoration of the Petitioner's right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee		Legal Owner(s)	
(Type or Print Name)		(Type or Print Name)	
Signature		Signature	
Address		(Type or Print Name)	
City	State	Zipcode	Signature
7899 DUNDALK AVENUE		21204	200-1325
BALTIMORE MD 21222		Phone No.	
City		State	Zipcode
Name, Address and phone number of representative to be contacted		Name	
29 West Susquehanna Avenue		Name	
Suite 610 (410) 887-4455		Address	
Towson, Md. 21204		Phone No.	
City	State	Zipcode	OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING		unavailable for Hearing	
the following date		Next Two Months	
ALL		OTHER	
REVIEWED BY: TMK		DATE: 7/12/94	

ORDER RECEIVED FOR FILING
Date 9/12/94
By [Signature]

- 5 -

ORDER RECEIVED FOR FILING
Date 9/12/94
By [Signature]

- 6 -

#15
Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 7899 Dundalk Avenue
which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Gasoline service station and service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s):
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode

ESTIMATED LENGTH OF HEARING: 1 hr.
unavailable for hearing
the following date: Next Two Months
ALL OTHER: 7/18/94
REVIEWED BY: MCK DATE: 7/18/94

#15
Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 7899 Dundalk Avenue
which is presently zoned BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from (Section) 232.3b of the BCZR to permit a rear yard setback of 0' & 7" in lieu of the required 20'.
JMP

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s):
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode

ESTIMATED LENGTH OF HEARING: 1 hr.
unavailable for hearing
the following date: Next Two Months
ALL OTHER: 7/18/94
REVIEWED BY: MCK DATE: 7/18/94

Paul Lee P.C.
Paul Lee Engineering Inc.
300 W Pennsylvania Ave.
Towson, Maryland 21204
410-881-5341

95-21-SPHXA

DESCRIPTION
\$7899 DUNDALK AVENUE
ELECTION DISTRICT 12 - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located at the intersection of the south side of Dundalk Avenue with the west side of Sollers Point Road, said point also being located Southerly 62 feet ± from the center of Dundalk Avenue; thence binding along the west side of Sollers Point Road (1) S 52°15'40" W 122.61 feet to the north side of a 15 foot alley; thence binding on the north side of said 15 foot alley (2) N 37°44'20" W 158.30 feet to the south side of Dundalk Avenue; thence binding on the south side of Dundalk Avenue (3) S 86°13'20" E 95.06 feet and by a curve to the right (4) R = 400.00 feet for a distance of 96.18 feet and by a curve to the right (5) R = 15.00 feet for a length of 32.64 feet to the point of beginning.
Containing 13,317 square feet of land, more or less.

Engineers - Surveyors - Site Planners
J. O. #94009

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 7/18/94
Posted for: Ronald Lygren & Leslie M. Pittler
Petitioner: Ronald Lygren
Location of property: 7899 Dundalk Ave.
Location of Sign: 7899 Dundalk Ave. property being zoned
Remarks:
Posted by: [Signature] Date of return: 7/18/94
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Class: 95-21-SPHXA (Item 15)
7899 Dundalk Avenue - Ron's Auto Service
Corner 815 Dundalk Avenue and W/S of Sollers Point Road
12th Election District - 7th Councilmanic District
Petitioner(s): Ronald Lygren
Hearings: Monday, August 22, 1994 at 9:00 a.m. in Rm. 118, Old Courthouse.
Special Hearing to approve the restoration of the Petitioner's right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage. Special Exception for gasoline service station and service garage. Variance to permit a rear yard setback of zero feet and 7 feet in lieu of the required 20 feet.
LAWRENCE S. SCHWARTZ
Zoning Commissioner for Baltimore County

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 4, 1994.

CRITICAL AREA receipt
75-21-SPHXA

Date: 7/18/94
Lygren, Ronald - 7899 Dundalk Ave
020 - Zoning Variance
040 - Special Hearing
070 - Special Exception
080 - Comb. not to exceed \$650.00
080 - 3 signs (\$35.00 each) \$105.00
Total: 755.00

Account: R01-6150
Number: 15
Item: 15
Taken In: 3
By: MCK

Please Make Checks Payable To: Baltimore County

Item Number: 15
Planner: MCK
Date Filed: 7-18-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney
The following information is missing:
Descriptions, including accurate beginning point
Actual address of property
Zoning
Acreage
Plats (need 12, only 1 submitted)
200 scale zoning map with property outlined
Election district
Councilmanic district
BCZR section information and/or wording
Hardship/practical difficulty information
Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
Power of attorney or authorization for person signing for legal owner and/or contract purchaser
Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (XTTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

#15

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:
Item No.: 15
Petitioner: Ronald Lygren (Ron's Auto Service, Inc.)
Location: 7899 Dundalk Avenue
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Leslie M. Pittler, Esquire
ADDRESS: 29 West Susquehanna Ave., Suite 610
Towson, MD 21204
PHONE NUMBER: (410) 823-4455

Ad: ggs
(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-21-SPHXA (Item 15)
7899 Dundalk Avenue - Ron's Auto Service
Corner 815 Dundalk Avenue and W/S of Sollers Point Road
12th Election District - 7th Councilmanic District
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Special Hearing to approve the restoration of the Petitioner's right to sell gasoline as part of his previously approved special permit and to confirm the right to maintain the automotive service station use with the service garage.
Special Exception for gasoline service station and service garage.
Variance to permit a rear yard setback of zero feet and 7 feet in lieu of the required 20 feet.

Arnold Jablon, Director

cc: Ronald Lygren
Leslie M. Pittler, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARINGS, CONTACT THIS OFFICE AT 887-3353.



111 West Chesapeake Avenue
Towson, MD 21204

August 12, 1994

(410) 887-3353

Leslie M. Pittler, Esquire
29 West Susquehanna Avenue, Suite 610
Towson, Maryland 21204

RE: Item No. 15, Case No. 95-21-SPHXA
Petitioner: Ronald Lygren
Petition for Special Hearing

Dear Mr. Pittler:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 18, 1994, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 9, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 8, 1994
Item No. 15

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the Landscape Manual. We recommend that the Zoning Commissioner require street trees and shrub plantings to the extent possible. The residential buffer should meet the Landscape Manual Standards also.

The proposed addition and fence appear to block the access to Sollers Point Road. This is not acceptable.

RWB:ew



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/29/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 15, 16, 17, 18, 19, 21, 22, 23 AND 24.

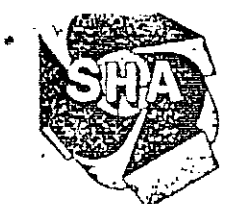
RECEIVED

AUG 1 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102P

cc: File



Re: Baltimore County
Item No.: #15 (HJK)

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
DAVID N. RAMSEY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 15, 1994

SUBJECT: 7899 Dundalk Avenue

INFORMATION:

Item Number: 15

Petitioner: Ronald Lygren

Property Size:

Zoning: B.L.-C.N.S.

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided and a site inspection of the subject property, staff offers the following comment.

This office supports the applicant's request provided that the following conditions are met:

- The garage building should be painted to enhance its appearance;
- The existing fence should be repaired and painted;
- A fence to screen the rear of the site should be erected; and
- All damaged and unlicensed vehicles should be removed from the property. Due to the size and location of the property, extended storage of vehicles should be restricted.

Prepared by: Jeffery W. Long

Division Chief: Gary L. Kerner

PK/JL:lw

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE ZONING COMMISSIONER
PETITION FOR SPECIAL EXCEPTION *
7899 Dundalk Avenue, Corner S/S OF BALTIMORE COUNTY
Dundalk Avenue and W/S of Sollers Point Road, 12th Election District, 7th Councilmanic *
Ronald Lygren * CASE NO. 95-21-SPHXA
Petitioner *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

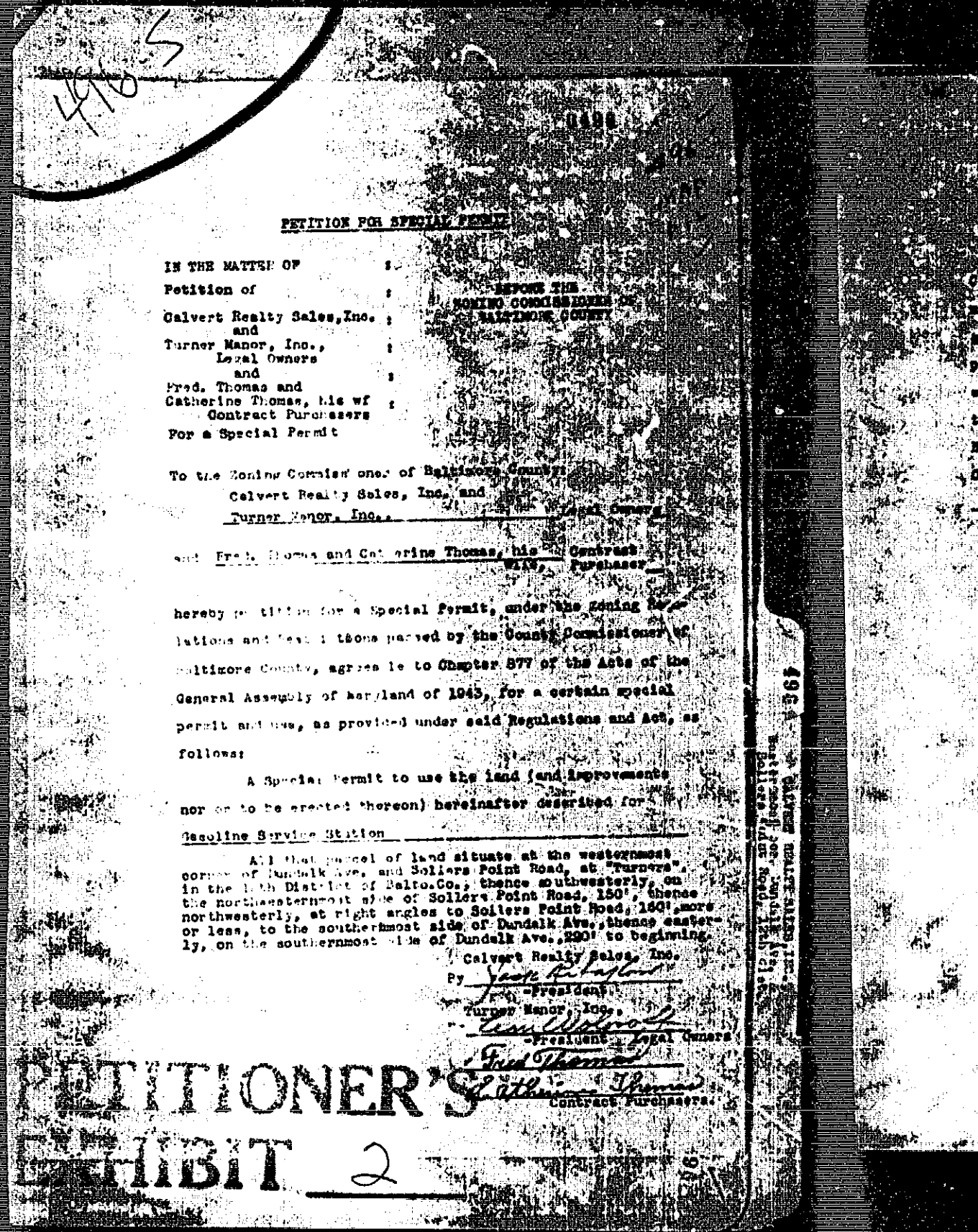
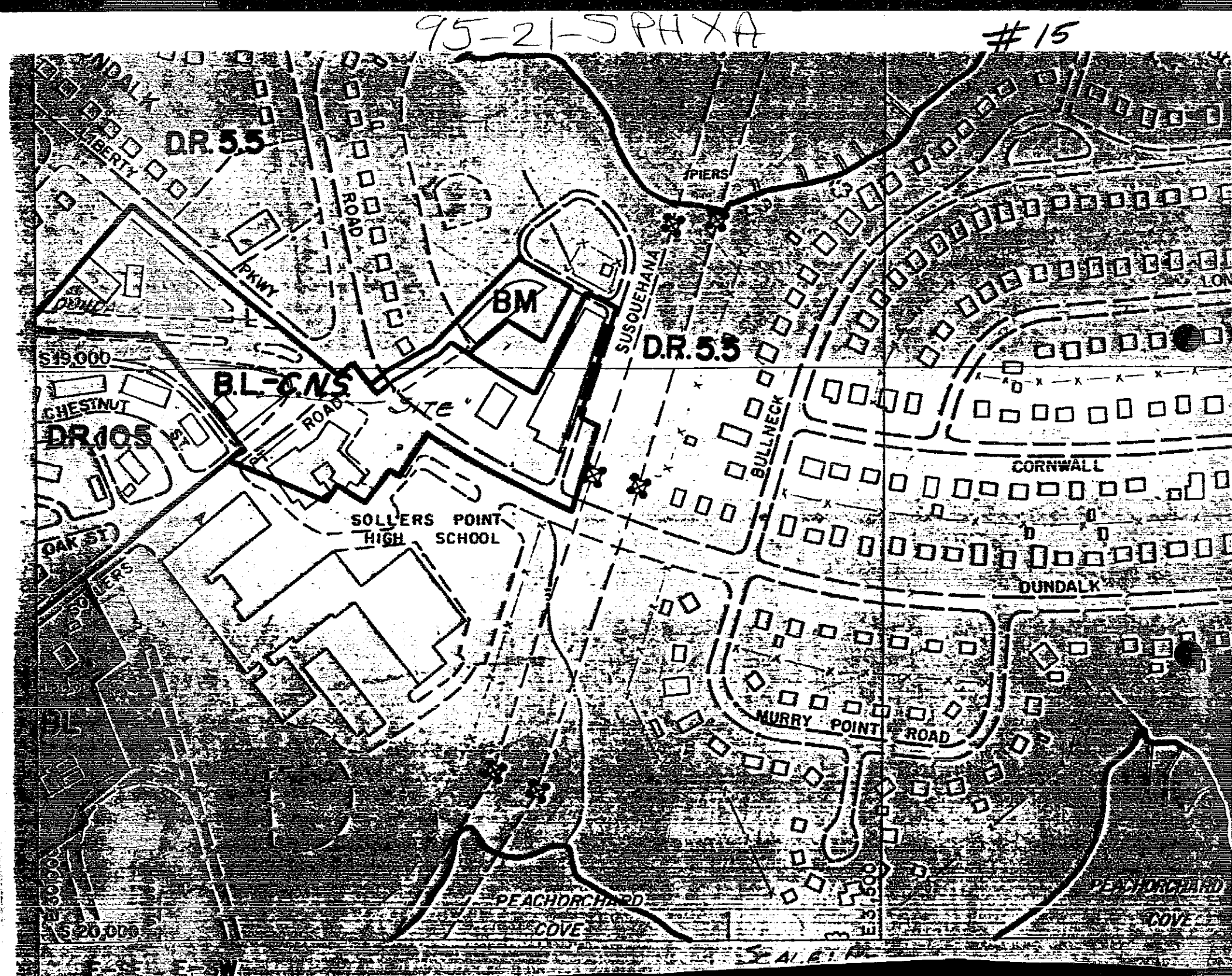
(410) 887-2188

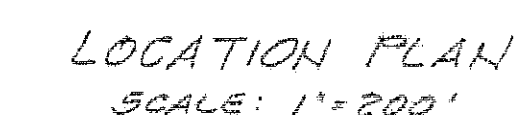
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Leslie M. Pittler, Esquire, 29 W. Susquehanna Avenue, Suite 610, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN





1. AREA OF PROPERTY = 13,917 S.F. GROSS AREA = 21,973 S.F.
2. EXISTING ZONING OF PROPERTY = "DL-CNS" W/SPEC. PERMIT
3. EXISTING USE OF PROPERTY = "GASOLINE SERVICE STATION"
4. PROPOSED ZONING OF PROPERTY = "DL-CNS" W/SPECIAL PERMIT & SPECIAL EXCEPTION
5. PROPOSED USE OF PROPERTY = "GASOLINE SERVICE STATION & SERVICE GAR."
6. REQUIRED OFF-STREET PARKING:
EX. 2-BAY SERVICE STATION (43'x27') = $1161 \text{ S.F.} \times 0.33/1000 = 0.38$
PROP. 8'x20' SHED = $160 \text{ S.F.} \times 3.3/1000 = 0.53$
REQUIRED P.S. = 0.93 = 5 P.S.
NUMBER OF PARKING SPACES SHOWN = 5 P.S.
7. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A SERVICE GARAGE IN A "DL-CNS" ZONE.
8. PETITIONER REQUESTING A VARIANCE TO SECTION 232.26 OF BCCR TO PERMIT A REAR YARD SETBACK OF 0'4'7" FOR THE EXISTING SERVICE STATION AND PROPOSED SHED IN LIEU OF THE REQUIRED 20' (A VARIANCE OF 20'4'13")
9. PETITIONER REQUESTING A SPECIAL HEARING TO RESTORE RIGHT FOR PETITIONER TO SELL GASOLINE PART OF A PREVIOUSLY APPROVED SPECIAL PERMIT AND TO CONFIRM THE RIGHT TO MAINTAIN THE AUTOMOTIVE SERVICE STATION USE WITH THE SERVICE GARAGE EITHER TOGETHER OR SEPARATELY AS DETERMINED TO BE APPROPRIATE BY THE ZONING COMMISSIONER.
10. SPECIAL PERMIT FOR GASOLINE SERVICE STATION GRANTED 11-16-45 CASE #120.
11. PUBLIC UTILITIES EXISTING AT PROPERTY.
12. F.A.R. PERMITTED = 3.0; EXISTING F.A.R. = $1161/13917 = 0.087$; PROP. F.A.R. = $1321/13917 = 0.095$

JUNE 30 1994

95-21-
SPHX: A #15

**PETITIONER'S
EXHIBIT**

ENGINEER:
PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204